

REMARKS

Status of Claims:

Claims 19-22 are cancelled. Thus, claims 1-18 are present for examination.

Claim Rejection under 35 U.S.C. 112:

Claims 1-18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

With respect to claims 1-18, as amended, the rejection is respectfully traversed.

The Examiner stated that the recitation of “the undistributed remaining part” in claims 1, 2, 3, and 4 lacks proper antecedent basis.

The word “undistributed” has been deleted from the claims, and there is antecedent basis in the claims for “the remaining part”.

Therefore, independent claims 1, 2, 3, and 4, as amended, are believed to be in compliance with the requirements of 35 U.S.C. 112, second paragraph. Dependent claims 5-18 are believed to be in compliance with the requirements of 35 U.S.C. 112, second paragraph, for at least the same reasons indicated above with regard to the independent claims from which they depend.

Claim Rejections under 35 U.S.C. 103:

Claims 1, 3, 5, 6, 11, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ronning (U.S. Patent No. 5,907,617) in view of Tsusaka et al. (U.S. Patent Application Pub. No. 2002/0065816 A1) (hereinafter Tsusaka).

Claims 2, 4, 7-10, 12, 13, and 15-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ronning in view of Tsusaka and further in view of Downs et al. (U.S. Patent No. 6,226,618) (hereinafter Downs).

With respect to claims 1-18, the rejections are respectfully traversed.

The U.S. filing date of the present application is October 18, 2001, which antedates the U.S. filing date of the Tsusaka reference of November 21, 2001. As such, the Tsusaka reference is not prior art against applicant's claims. As a consequence, the rejections of claims 1-18, which rely on the Tsusaka reference, must be withdrawn.

Therefore, claims 1-18 are believed to be allowable.

Conclusion:

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-0872.

Respectfully submitted,

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By Justin M. Sobaje

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (310) 975-7965
Facsimile: (310) 557-8475

Justin M. Sobaje
Attorney for Applicant
Registration No. 56,252